

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 08-56-GMS
	:	
DARRIN BURNS,	:	
	:	
Defendant.	:	

**MOTION FOR CONTINUANCE OF SCHEDULING CONFERENCE**

Defendant, Darrin Burns, through undersigned counsel, Luis A. Ortiz, hereby moves this Honorable Court for an Order continuing the scheduling conference in this case.

In support of this Motion, the defense submits as follows:

1. A scheduling conference in this matter is currently scheduled for May 30, 2008, at 9:30 a.m.
2. Defense counsel will be out of the office attending a conference from May 27, 2008 through May 30, 2008, and not returning to the office until June 2, 2008. Therefore, defense counsel will be unavailable on May 30, 2008, the date that Mr. Burns' scheduling conference is currently scheduled.
3. Defense counsel respectfully requests that Mr. Burns' scheduling conference be continued.<sup>1</sup>
4. Defense has spoken to Assistant United States Attorney, Joseph S. Grubb, the attorney handling this case for the government, to ascertain the government's position on the

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<sup>1</sup>Defense counsel will also be out of the office and unavailable from June 16, 2008, until June 23, 2008.

defense's continuance request. They are not opposed to this request.

5. The Defendant agrees to waive the time from May 30, 2008, until the date of the continuance for purposes of the Speedy Trial Act (18 U.S.C. § 3161, et seq.).

**WHEREFORE**, for these reasons and any other such reasons that shall appear to the Court, the Defendant respectfully requests a continuance of scheduling conference in this case.

Respectfully submitted,

/s/ Luis A. Ortiz  
Luis A. Ortiz, Esquire  
Assistant Federal Public Defender  
One Customs House  
704 King Street, Suite 110  
Wilmington, DE 19801  
302-573-6010  
ecf\_de@msn.com

Attorney for Defendant Darrin Burns

Dated: May 20, 2008

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FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
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Plaintiff,	:	
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DARRIN BURNS,	:	
	:	
Defendant.	:	

**ORDER**

The Court having considered the Defendant's Motion for Continuance of Scheduling Conference, good cause having been shown therefore;

IT IS HEREBY ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2008 that the Defendant's motion is hereby granted, and the scheduling conference in this case is rescheduled for the \_\_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ a.m./p.m., and that the time from May 30, 2008 up to the day of the scheduling conference shall be excluded under the Speedy Trial Act (18 U.S.C. § 3161, et seq.).

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Honorable Gregory M. Sleet  
Chief Judge, United States District Court